

Service Date: May 7, 1999

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER OF TONGUE RIVER)	UTILITY DIVISION
ELECTRIC COOPERATIVE, INC., and)	
MONTANA-DAKOTA UTILITIES CO.,	)	DOCKET NO. D99.3.63
Application for Approval of an Exclusive	)	ORDER NO. 6164
Service Agreement)	
IN THE MATTER OF McCONE	)	UTILITY DIVISION
ELECTRIC COOPERATIVE, INC., and)	
MONTANA-DAKOTA UTILITIES CO.,	)	DOCKET NO. D99.3.65
Application for Approval of an Exclusive	)	ORDER NO. 6165
Service Agreement)	
IN THE MATTER OF GOLDENWEST	)	UTILITY DIVISION
ELECTRIC COOPERATIVE, INC., and)	
MONTANA-DAKOTA UTILITIES CO.,	)	DOCKET NO. D99.3.66
Application for Approval of an Exclusive	)	ORDER NO. 6166
Service Agreement)	
IN THE MATTER OF LOWER	)	UTILITY DIVISION
YELLOWSTONE RURAL ELECTRIC)	
ASSOCIATION, INC., and	)	DOCKET NO. D99.3.67
MONTANA-DAKOTA UTILITIES CO.,	)	ORDER NO. 6167
Application for Approval of an Exclusive)	
Service Agreement)	

FINAL ORDER APPROVING EXCLUSIVE SERVICE AGREEMENTS

On March 18, 1999, Montana-Dakota Utilities Co. (MDU), on behalf of itself and four other electric facilities providers, Tongue River Electric Cooperative, Inc., McCone Electric Cooperative, Inc., Goldenwest Electric Cooperative, Inc., and Lower Yellowstone Rural Electric Association, Inc., filed an application before the Public Service Commission (PSC), requesting approval of four exclusive service agreements. Each exclusive service agreement establishes the rights of MDU and one of the other electric facilities providers to provide electric service to the exclusion of the other in identified areas where both of the providers might be reasonably capable

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of serving. The exclusive service agreement procedure is allowed by Montana's Territorial Integrity Act for electric facilities providers. §§ 69-5-101 through 69-5-112, MCA.

The agreement between MDU and Tongue River pertains to areas in or near Miles City, Montana. The agreement between MDU and McCone pertains to areas in or near Glendive, Montana. The agreement between MDU and Goldenwest also pertains to areas in or near Glendive, Montana. The agreement between MDU and Lower Yellowstone pertains to areas in or near Sidney, Montana. The agreements do not involve a transfer or exchange of any provider's existing customers.

The PSC publicly noticed the above applications on March 24, 1999, through a notice of opportunity for hearing, with a response date of April 14, 1999. No requests for hearing or comments have been received as of May 4, 1999. The PSC determines that the proposed agreements are in accordance with the requirements of the Territorial Integrity Act and should be approved. The PSC hereby approves the exclusive service agreements.

Done and dated this 4th day of May, 1999, by a vote of 5-0.

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BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

DAVE FISHER, Chair

NANCY MCCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.

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